

BOARD OF SUPERVISORS
PERRY TOWNSHIP
December 10, 2019

The regular monthly meeting of the Board of Supervisors of Perry Township was called to order by Vice Chairman Lance N. Adam at 7:30 p.m. on December 10, 2019 in the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA.

A roll call was held and the following Supervisors were present:

Lance N. Adam and Mark Wm. Stitzel by phone, verified by Solicitor.
Dean A. Adam was Absent.

Also present at the board meeting were:

Allen R. Shollenberger, Esq. and Lori E. Seidel, Secretary/Treasurer

The meeting was then turned over to Solicitor, Allen R. Shollenberger. Mr. Shollenberger explained the Township did not have a quorum present and under the law a supervisor can participate by phone. Not all agenda items will be dealt with at meeting tonight. Only the bills for payment will the Board be taking action on. Mark Wm. Stitzel is verified on the phone and earlier today received documentation from Secretary -Treasurer Lori E. Seidel to be able to take action on the bills for payment.

Bills for Payment:

Both Lance N. Adam and Mark Wm. Stitzel reviewed the list of bills. A motion was made by Mark Wm. Stitzel, seconded by Lance N. Adam to approve the Bills for payment. Motion carried with two supervisors voting yes.

Mr. Shollenberger announced the township received a request to reduce the security for HLP. Mr. Body will give his recommendation to the Board but without Mark Wm. Stitzel able to see the documentation currently the meeting will need to be recessed to December 16th. Due to time restrictions the Developer cannot wait until December 30th. The recessed meeting will go as followed December 16, 2019 to discuss only the security reduction request for HLP. This will then give more time to get Mark Wm. Stitzel the documentation to make an informed decision. Then the meeting will recess again to December 30, 2019 to discuss the rest of the agenda items such as the minutes, budget and zoning ordinance. Mr. Shollenberger opened the floor to questions regarding the recessed meeting dates.

Jeff Dreibelbis, Onyx Cave Road, questioned the only item being discussed on the 16th is the developer and not much else is going on. Mr. Shollenberger agreed and stated the rest of the agenda will be discussed on the 30th of December.

Recessed:

Mark Wm. Stitzel made a motion, seconded by Lance N. Adam to recess the meeting to December 16th at 7:30 p.m. to discuss the security reduction. Motion carried with two Supervisors voting yes.

MINUTES APPROVED ON
January 14, 2019

RECORDED BY

Lori E. Seidel, Secretary/Treasurer

Lance N. Adam, Chairman

BOARD OF SUPERVISORS
PERRY TOWNSHIP
December 16, 2019

The recessed meeting from December 10, 2019 of the Board of Supervisors of Perry Township was called to order by Vice Chairman Lance N. Adam at 7:30 p.m. on December 16, 2019 in the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA.

A roll call was held and the following Supervisors were present:

Lance N. Adam and Mark Wm. Stitzel by phone, verified by Solicitor.
Dean A. Adam was Absent.

Also present at the board meeting were:

Allen R. Shollenberger, Esq. and Lori E. Seidel, Secretary/Treasurer

The meeting was then turned over to Solicitor, Allen R. Shollenberger. Mr. Shollenberger explained tonight's meeting had two items on the agenda; to discuss and take action on the Security Reduction for Hamburg Logistics Park and to recess the meeting to December 30th. It was verified by phone that Mark Wm. Stitzel received the packet of information from Secretary Seidel for meeting tonight.

HLP Security Reduction:

Joe Body, Township Engineer, stated progress report #3 was given to Brian Peterson for review before tonight's meeting. Mr. Peterson did not have any concerns. Mr. Body then reviewed with the Board Progress Report #3 dated December 14, 2019. He discussed items that still needed to be completed at Building 200 like paving, line striping, and storm water basins. The biggest item not done is the landscaping. There were supposed to be buffer trees along the property on the side of Dietrich Farm. Weeds need to be cut down, trees are missing on the property near the Church, pond conversions and some items that still need to be fixed. Mr. Body did the field review in November and more work has been done since then but it is not complete. He is suggesting reducing by \$2,719,487.00 and retain 2,047,443.50 for maintenance security. Mr. Body did add the south side of building 200 had plans to build trailers for storage but no formal request has been submitted. Mark Wm. Stitzel questioned whether all the items that are not done figured in the reduction amount. Mr. Body reviewed page by page the items that were not complete and the cost it would take to possibly complete. Mr. Body stated these amounts are what is left or what he is suggesting be retained. Mark Wm. Stitzel questioned if there is a time limit to complete the remaining items. Mr. Body informed the Board there are some items that can't be worked on until the spring. Mr. Shollenberger stated the time limit in the improvement's agreement should be for one year. This allows the Township to keep the money if not complete but it is not to punish or fine them if they continue longer. Lance N. Adam made a motion seconded by Mark Wm. Stitzel to reduce the security in the amount of Two Million Seven Hundred Nineteen Thousand Four Hundred Eighty-Seven Dollars and Zero Cents (\$2,719,487.00), retaining Two Million Forty-Seven Thousand Four Hundred Forty-Three Dollars and Fifty Cents (\$2,047,443.50). Motion carried with both Supervisors voting yes.

Mr. Shollenberger informed the Board that the Albright property will be closing on December 20th. The redevelopment authority plans to purchase it and work on it in the spring. Mr. Shollenberger and Lance N. Adam had a discussion about putting together an ordinance that fines commercial side for false alarm calls to the Fire Department. Mr. Shollenberger questioned Mr. Stitzel if he would also be interested. Mark Wm. Stitzel suggested looking into it and getting the information but not approving yet. Mr. Shollenberger would get the information for the December 30th Meeting.

Recessed:

Mark Wm. Stitzel made a motion, seconded by Lance N. Adam to recess the meeting to December 30th at 7:30 p.m. to discuss the rest of the agenda from December 10th. Motion carried with two Supervisors voting yes.

MINUTES APPROVED ON
January 14, 2019

RECORDED BY

Lori E. Seidel, Secretary/Treasurer

Lance N. Adam, Chairman

BOARD OF SUPERVISORS
PERRY TOWNSHIP
December 30, 2019

The recessed meeting from December 10, 2019 and December 16, 2019 of the Board of Supervisors of Perry Township was called to order by Chairman Dean A. Adam at 7:35 p.m. on December 30, 2019 in the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA.

A roll call was held and the following Supervisors were present:

Dean A. Adam and Lance N. Adam

Mark Wm. Stitzel absent

Also present at the board meeting were:

Allen R. Shollenberger, Esq. and Lori E. Seidel, Secretary/Treasurer

THERE WAS AN EXECUTIVE SESSION WITH THE BOARD AND SOLICITOR ALLEN SHOLLENBERGER BEFORE MEETING TO DISCUSS A LITIGATION MATTER.

Comments:

Charles DeCarlo, Zweizig Road, informed the Board of trash blowing from the Valley West construction site.

Kathy DeCarlo, Zweizig Road, questioned why the bills for payment list was not available tonight. Secretary Seidel informed her the bills for payment were approved at the December 10th meeting. It is available at the office if she would like a copy.

Nancy James, Ridge Road, wanted to share her thoughts regarding a comment last month on full time help. She informed the Board this was unfair to poll the Board when you cannot predict the future. Ms. James added the Board should also consider updating their technology like getting iPad's, as they considered before. The Township should be getting information out to the Board members by email instead of waiting until meetings. Other comments she added would be updating the website, sending out a newsletter with the tax bills and updating the Recreation Park. She informed the Board of what some other township's do with minutes on their websites and taking the extra printed minutes from meeting to the office so it's available to anyone who couldn't attend. Ms. James also stated 2 election officials were taking pictures of a private residence. This is an invasion of privacy and she spoke with the state police regarding it. Ms. James also requested a correction should be made to the minutes from November 12th. It stated "across Berks County" and according to her recording from the meeting the comment was only 2 local townships and etc. Dean A. Adam stated the Secretaries are not typing minutes verbatim. It is up to their discretion on what they hear. Allen Shollenberger stated the minutes should be as accurate as possible. No errors when it is an official action being taken. If a resident speaks, the objection should be noted. However, if it is a who said what it is up to the Board. Pat Daly questioned if an amendment could be done since she had proof. Nancy James recording of last month minutes was then played for the Board from Mr. Daly's phone. Dean A. Adam disagreed and the comment was up for interpretation. Dean A. Adam made a motion seconded by Lance N. Adam to remove the words Berks County from the November 12th minutes. Motion was carried with two supervisors voting yes.

Jeff Dreibelbis, Onyx Cave Road, informed the Board the light on the flag pole was out again.

Mark Stitzel Jr., Township Employee, stated there was nothing wrong with taking pictures of people's houses especially when Ms. James was taking pictures of him mowing grass and other people having outside cameras at their homes.

Approval of Minutes:

Dean A. Adam made a motion, seconded by Lance N. Adam to approve the November 4th Committee Meeting and the November 12th Supervisors Meeting minutes including the change made to the November 12th Minutes. Motion carried with two Supervisors voting yes.

Treasurers Report:

(See attached report)

Dean A. Adam made a motion, seconded by Lance N. Adam to approve the Treasurer's Report dated December 1, 2019. Motion carried with two Supervisors voting yes.

Reports:

Recreation Park Board had no representation.

Jeff Fiant, Kraft Code Services, reviewed his report dated 10/27/19-11/23/19. Mr. Fiant talked about multiple inspections for the month most were industrial.

Joe Body, Zoning Officer, stated three permits were issued in November, two for pole buildings and one for a sign. He informed the Board regarding a request that was made by the assessment office to receive copies of the permits issued. Mr. Body stated in the past the Board thought it was best to not give out copies of permits. Jeff Fiant, stated they give a detailed list of issued permits to the assessment officer. Stan Snyder commented the assessment office is there only to raise your taxes. Allen Shollenberger stated it goes on the value of improvements done to your property. Jeff Fiant stated building permits do not increase the value of your property. Mr. Snyder questioned why permits are required for work done in the home. Jeff Fiant stated it is for structural things. Stan Snyder stated why get a permit for in the home, a supervisor has no business to be in the home. Jeff Fiant stated it is required for structural changes.

Gene Buck, Planning Commission, Nancy Rogers was absent from the meeting on December 4th. The Board reviewed and discussed Premier Fleet Services, Hamburg Commerce Park and Bent Limb Farm. Planning Commission recommends to the Board granting the 30-day time extension for Bent Limb Farm to January 30, 2020.

Municipal Authority had no representation.

EMC had no representation.

Roadmaster had no representation.

JB Environmental report was reviewed.

Joe Body, Engineer, talked about Main Street and the work UGI is doing. He recommended to the Board to wait until this summer to resurface Main Street since there is a lot of work still being done. Mr. Body informed the Board Mr. Lombardi is requesting a permit for a mechanical windmill to operate the water pump for his Buffalo. Chairman Dean Adam questioned the height of the windmill. Mr. Body stated approximately 50 feet. Mr. Body talked about the security reduction request from HLP for Building 300. He went over his progress report and recommended to the Board to reduce the security by One Million Twenty-Eight Thousand Six Hundred Fifty-Four Dollars and Eighty Cents (\$1,028,654.80) retaining One Hundred Seventy-Four Thousand Four Hundred Forty-Five Dollars and Twenty Cents (\$174,445.20) for the work remaining. Dean A. Adam made a motion seconded by Lance N. Adam to approve the security reduction by One

Million Twenty-Eight Thousand Six Hundred Fifty-Four Dollars and Eighty Cents (\$1,028,654.80). Motion carried with two supervisors voting yes. Joe Body presented Bent Limb Farm request for 30-Day Time Extension. Dean A. Adam made a motion seconded by Lance N. Adam to approve Bent Limb Farm's 30-day time extension to January 30, 2020. Motion carried with two supervisors voting yes. Joe Body presented Premier Fleet Services request for a 95-day time extension. Dean A. Adam made a motion seconded by Lance N. Adam to approve Premier Fleet Services 95-day time extension to April 4, 2020. Motion carried with two supervisors voting yes. Joe Body and Allen Shollenberger discussed the Bell Tract and a request for a time extension. Dean A. Adam made a motion seconded by Lance N. Adam to approve Cedarbrook a time extension to March 31, 2020. Motion carried with two supervisors voting yes.

Allen Shollenberger, Solicitor, informed the Board he will be working with Joe Body regarding HLP's request for reimbursement on traffic impact fees. The application for Agriculture Security submitted by Chad Kamp will be discussed for approval at the January 14th Meeting. The Albright has been sold to the Redevelopment Authority. They intend to have the out buildings removed by spring and cleaned up to sell. Mr. Shollenberger elaborated on the executive session that occurred before meeting. The litigation issue was found in favor of the defendant regarding the properties condition. Mr. Shollenberger talked about the ordinance for the Joint Comprehensive plan. Dean A. Adam made a motion seconded by Lance N. Adam to approve the ordinance for the Northern Berks Joint Plan. Motion carried with two supervisors voting yes. Mr. Shollenberger briefly discussed the Schuylkill River Greenways. Allen Shollenberger presented a draft for the boards review regarding a Fire Alarm Ordinance. Dean A. Adam said he would like to look it over. Lance N. Adam stated this ordinance is mainly for the warehouses do to four alarms last month and no fire. The cause was water leaks. Joe Body mentioned the retention pond at paradise avenue is being questioned who is responsible for mowing it. According to some of the research he found the deed of dedication includes the pond. Mr. Body and Mr. Shollenberger will review further and discuss.

Highway Occupancy Permit Home Elite LTD:

The Board reviewed and discussed with Mr. Shollenberger the HOP is for the light, road and driveway which will become the Townships. Mr. Body stated the land developments plans have not yet been approved. The HOP will go nowhere if the plans are not submitted. Dean A. Adam made a motion seconded by Lance N. Adam to sign the HOP for the permitted Home Elite. Motion carried with two supervisors voting yes.

2020 Budget:

Dean A. Adam made a motion seconded by Lance N. Adam to approve the budget for 2020. Motion carried with two supervisors voting yes.

2020 Municipal Tax Sheet:

Dean A. Adam made a motion seconded by Lance N. Adam to approve the Municipal Taxes for 2020. Motion carried with two supervisors voting yes.

Real Estate Tax Rate for 2020:

Dean A. Adam made a motion seconded by Lance N. Adam to approve the Real Estate Taxes for 2020. Motion carried with two supervisors voting yes.

Street Light Tax Rate Changes:

The Board discussed the recommendation of changing to a fixed rate. Dean A. Adam made a motion seconded by Lance N. Adam to approve keeping the Street Light Tax the same. Motion carried with two supervisors voting yes.

Northern Berks EMS Report:

The Board reviewed.

Virginville Fire Company Report:

The Board reviewed.

Cedarbrook Time Extension:

The Board discussed earlier in the meeting and approved.

Berks County Public Works Association Membership Renewal:

Lance N. Adam made the motion seconded by Dean A. Adam to renew the membership. Motion carried with two supervisors voting yes.

UGI Letter:

Lance N. Adam stated Mr. Body has been handling this. It was discussed between the Board, Mr. Body and Mr. Shollenberger talking about this at the Joint Meeting.

Bulk Chemical Inc. V. First Call Environmental, LLC:

Mr. Shollenberger elaborated on the problem that occurred at Bulk Chemical. It was determined the second fire that occurred was due to the electric not being turned off when clean-up was occurring. It was questioned if the Township controls Shoemakersville Fire Company since they were at the fire. Mr. Shollenberger explained the Township and Fire Companies connection and had the Township Office notify the insurance company.

Comments:

Paul Clauser, Perry Road, when is the road being worked on from Shoey to Zweizig. Dean A. Adam stated they are waiting for gas lines to be hooked up so they don't have to repave.

Charles DeCarlo, questioned when the potholes on Zweizig Road will be fixed. Dean A. Adam answered next week.

Kathy DeCarlo, who is responsible for paving Main Street. Dean A. Adam answered the Township.

Kenny James, Ridge Road, questioned when his potholes would be fixed. Dean A. Adam stated they will get to it.

Correspondence:

The correspondence was reviewed.

Adjourn:

Dean A. Adam made a motion, seconded by Lance N. Adam to adjourn the meeting at 8:41 pm. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON
January 14, 2020

RECORDED BY

Lori E. Seidel, Secretary/Treasurer

Lance N. Adam, Chairman